

changes to our antidumping and countervailing duty laws. Does anyone seriously believe that their objective is anything less than to gut the effectiveness of those laws? Now, why should we not debate that? Why should we not be able to offer an amendment or amendments? Does anyone seriously believe that their objective is anything less than to gut the effectiveness of those laws? Does anyone seriously believe that, in any full negotiating round, our hemispheric trading partners will not work in concert with Japan, Korea, and the European Union to eviscerate the framework of fair trade as we know it?

Some of the FTAA countries undoubtedly also have in mind that our trade laws be interpreted and applied by multilateral tribunals—in other words, the chapter 19 model. Under Chapter 19 of NAFTA, persons who, in many instances, are not even trained in U.S. law, and who have a strong personal or professional interest in weakening our trade laws, are called to interpret and apply them. The result should have been predictable: enforcement of those laws has been compromised. Senators don't have to believe me. Just read retired U.S. Court of Appeals Judge Malcolm Wilkey's dissent in the Canadian softwood lumber extraordinary challenge determination! Judge Wilkey contrasts the promises that were made to Congress in connection with Chapter 19—particularly that it would lead to no change in U.S. law—with the frequent refusal of foreign panelists to apply basic concepts of American administrative law such as the standard of review. He also raises serious questions about whether Chapter 19 ignores conflicts of interest on the part of panelists that would be disqualifying under our rules of ethics.

My conclusion from all of this is simple. If "trade negotiating authority," to use the administration's term for fast-track, means that Congress agrees to surrender its responsibility to thoroughly evaluate—and refine, if necessary—those provisions of proposed international agreements that might necessitate changes to our trade laws and regulations, I want nothing of it.

In considering these three issues—the steel crisis, trade with China, and fast-track—I am motivated by a deep and abiding concern for the hardworking men and women of my country, America. They have been hammered by deindustrialization and disinvestment. Both the public sector and the private sector are to blame for these trends, as well as politicians, which have been long in the making. But there is one thing we can say with certainty: the trade liberalization model that has been relied upon by recent administrations—Democratic and Republican—does not help. It limits the ability of the United States to use import restrictions to ensure fair trade in our markets while giving foreign countries such as China virtually a free hand in excluding selected U.S. exports from their markets. What is fair about that?

What is free about that? That isn't free trade. In light of the current situation in many of our basic industries, this imbalance can no longer be tolerated.

We must remember from whence we came. I happen to go back to the hills and the hollows and the Mountain State of West Virginia, which was born during the Civil War, to renew my love, to renew my recollection, and to reinvigorate my understanding of what the people deserve and what the people want.

We must remember from whence we came and before whom we are destined to give an accounting. So remember from whence we came, remember where we are going, and remember before whom we must give an accounting.

We must stand up for the working men and women of America, the people who have not forgotten God's edict that he delivered when he drove Adam and Eve from the Garden of Eden, to earn thy bread by the sweat of thy brow. Those are the people we must remember.

We must stand up for them and stand against any initiative that would undermine the framework of "fair trade." We must not allow anyone in the name of "free trade" or anyone in the name of "fast track" to destroy the way of life of communities across the Nation.

No, Mr. President, we don't need fast track. We need to live by this Constitution which I hold in my hand. We swear an oath in this Senate to support and defend the Constitution against all enemies, foreign and domestic. Let's watch the enemies in our midst. They may be us.

Mr. President, I yield the floor.

#### TRIBUTE TO ROBBIE CALLAWAY

Mr. THURMOND. Mr. President, on April 7, 2001, Robbie Callaway, Senior Vice President for Boys & Girls Clubs of America, was honored with the organization's highest award for professional service: the Thomas G. Garth Character and Courage Award.

Thomas G. Garth served as president of Boys & Girls Clubs of America from 1988 until his death in 1996. It was under his leadership that Boys & Girls Clubs began their aggressive outreach movement into America's most distressed communities and evolved into one of our Nation's premier youth development organizations. It was Tom's dream that every disadvantaged youth in America have access to a Boys & Girls Club.

The Thomas G. Garth Character and Courage Award is presented each year to the professional in the Boys & Girls Clubs movement that best exemplifies the qualities of character and courage, the very qualities that made Tom Garth an extraordinary leader and role model.

Those of us who are fortunate to have known Robbie Callaway for many years are not surprised by his receipt of the Thomas G. Garth Character and Courage Award. Character and courage have

defined his service to the Nation's youth. Not only is Robbie's enthusiasm contagious, but he also sets an example for others to follow.

Robbie has dedicated himself to ensuring that every one of our Nation's youth is given an opportunity at a better life. Countless young people and communities throughout America have benefitted as a result. The progress that Boys & Girls Clubs of America have made in public housing, Native American lands, and other inner-city and rural communities is due in large part to his relentless spirit and his unwillingness to take "no" for an answer. He believes in his heart, as did Tom Garth, that it is Boys & Girls Clubs of America's obligation to reach every child in need and at-risk.

Robbie is also a founding board member of the National Center for Missing and Exploited Children, where he currently serves as chairman-elect. As a result of the National Center's extensive relationship with Federal, State, and local law enforcement, along with corporate America, it is the leading child safety organization in America. The National Center also has a strong working partnership with Boys & Girls Clubs of America. Together, these two fine organizations strive to keep our Nation's youth out of harm's way.

Robbie has received numerous awards throughout his career. Yet he will tell you his greatest accomplishment is raising, along with his wife Sue, two fine children, Adam and Maureen.

The United States of America is a better place because of people purchase Robbie Callaway. His selfless contributions have impacted the lives of this Nation's youth and will continue to do so for generations to come. We owe him a debt of gratitude.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

Today, Mr. President, I would like to detail a heinous crime that occurred February 6, 2000 in Tucson, Arizona. A 20-year-old gay University of Arizona student was sitting at a cafe when a man came up behind him and stabbed him with large knife. Witnesses heard the perpetrator saying that he had "killed a f---ing faggot," "this is what gays deserve," and "let this be a warning to the gay community." The victim was treated at a local hospital and released. The attack spurred an anti-hate rally on campus a few days later drawing over 1,000 people.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol

that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### REMOVAL OF THE UNITED STATES FROM THE U.N. HUMAN RIGHTS COMMISSION

Mr. LIEBERMAN. I rise to express my dismay at the Economic and Social Council's vote yesterday removing the United States from membership on the United Nations Human Rights Commission for the first time since its inception in 1946.

The United States was a founding member of this distinguished body and has been an active member since its establishment. Under the chairmanship of Eleanor Roosevelt, the U.S. was instrumental in helping to draft the Universal Declaration of Human Rights, the very first work of the Commission and one that deeply reflects longstanding and treasured American values. For over 50 years, the United States has worked within the Commission to codify fundamental human rights and practices. Through the Commission we have also fought for vigorous investigations of grave breaches of human rights wherever they occurred and have raised our voice in defense of freedom on behalf of those whose own voices were silenced.

The Commission's membership has grown along with the membership in the United Nations as newly independent nations have joined the world bodies. However, the inclusion of countries with extremely poor human rights records, such as Sudan and Cuba, on the Commission is troubling. And it means that we will have to work even harder to promote universal standards so that one day all people can enjoy the freedom, liberty and equality we too often take for granted here at home.

We may never know why so many countries voted against us in the secret balloting. I am afraid, however, that it may reflect widespread dissatisfaction with what is perceived to be a go-it-alone attitude in foreign affairs by the new administration. Our friends and allies have reacted negatively to a number of President Bush's pronouncements and policies, including rejection of the Kyoto Climate Change Treaty, his opposition to the International Criminal Court, and his willingness to abandon the ABM Treaty before we have a workable missile defense plan in place. This vote clearly demonstrates that there can be unanticipated and damaging consequences to our actions on the world stage. The U.S. cannot take our friends for granted and must remain vigilant against the anti-U.S. efforts of our enemies.

The United States now becomes an observer on the U.N. Human Rights Commission but we can, indeed we must, remain actively engaged in defending human rights throughout the world. We have lost our vote but not our voice. The Commission will be

weaker without our membership and our leadership. But the real losers in yesterday's election were the oppressed, people in many parts of the world who desperately need the support of the United States and the United Nations to stop abuses of their basic rights and to bring the light of freedom into their lives.

I am terribly disappointed by the vote against U.S. membership on the Commission. However, we must not allow this vote to deter our efforts to promote and defend human rights around the world. Our commitment and leadership in advancing freedom, equality and justice for all people derives from the principles on which our Nation was founded and which continue to guide us today.

#### THE DISASTER TAX EXEMPT ACT

Mr. GRAHAM. Mr. President, as those of us from our Nation's southern and eastern coastal areas know, living in the sunshine of summer can be a double-edged sword. As Floridians enjoy the best weather Mother Nature has to offer, we must not neglect preparations for the start of hurricane season on June 1, 2001. I am pleased to join my colleague from Florida, Senator NELSON, and my colleagues from Texas in introducing legislation that will help protect Florida from economic devastation as sunny days and warm water are accompanied by the potential for catastrophic disaster.

Our legislation amends section 501(c) of the Internal Revenue Code to grant tax-exempt status to State chartered, not-for-profit insurers serving markets in which commercial insurance is not available. In Florida, this legislation will assist the Florida Windstorm Underwriting Association, FWUA, and the Florida Residential Property and Casualty Joint Underwriting Association, JUA.

The Florida Windstorm Association was created in 1970. Twenty-two years later, in 1992, the legislature authorized the Joint Underwriting Association. These organizations operate as residual market mechanisms. They provide residential property and casualty insurance coverage for those residents who need, but are unable to procure, insurance through the voluntary market.

The JUA was created in direct response to \$16 billion in covered losses during Hurricane Andrew. The destructive force of Andrew rendered a number of property insurance companies insolvent. Other firms reacted to the catastrophe by withdrawing from the Florida market.

During those fortunate years when Florida is not hit by major hurricanes or other natural disasters, the FWUA and JUA take in more premiums than are paid out in claims and expenses. Florida law prevents those funds from being distributed so that needed reserves will accumulate in preparation for disasters we know will come in the future.

Unfortunately, the Internal Revenue Code penalizes Florida for this responsible, forward thinking practice. It requires that 35 percent of those funds be sent to Washington, as Federal income taxes rather than be used to accumulate reserves. Designating State chartered, non-profit insurers as tax-exempt entities will help Florida amass the necessary reserves to pay claims brought on by a catastrophe.

State law also authorizes the FWUA and the JUA to assess property insurance policyholders for losses generated by natural disasters. Tax exemption will reduce the frequency and severity of assessments levied against individual policyholders, because higher reserves will be available to cover losses.

Mr. President, though nearly a decade has passed, Hurricane Andrew is still a nightmarish memory for Floridians. The National Weather Service expects this hurricane season to be another active storm season. It is imperative that the Federal Government avoids the comfortable habit of ignoring lessons presented by Andrew and other recent catastrophes.

Similar legislation has been introduced in the House of Representatives and enjoys bipartisan support from Florida's congressional delegation.

Our legislation is extremely important to homeowners and businesses throughout Florida, all of whom are subject to assessment if reserves are not sufficient to pay claims in the event of a catastrophe. Florida remains sensitive to the perils of nature. Enactment of this legislation will permit our State to prepare for the next Hurricane Andrew while alleviating some of the economic hardship exacted on Florida property owners.

#### ADDITIONAL STATEMENTS

##### VERMONT GRANITE MUSEUM

● Mr. LEAHY. Mr. President, this week I had the pleasure of attending the raising of the old Jones Brothers granite shed in Barre, Vermont. This historic wooden building built in 1895 will be raised four feet off the ground for several months while a new foundation is poured and the building is secured. Once one of the largest granite manufacturing plants in the world, this building will soon be home to the Vermont Granite Museum, a tribute to one of Vermont's oldest and proudest industries. As the grandson of a stonecutter I cannot think of a better way to honor this heritage than a world class museum and learning center in the heart of Vermont. I would like to share with my colleagues the comments of my fellow Vermonters, Edwin Granai and Marsha Davis, who spoke eloquently of this building, its history and what the museum will mean to our state.

I ask consent that the statements of Edwin Granai and Marcia Davis be printed in the RECORD.